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C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 001599

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TAGS: [PGOV](#) [PREL](#) [SU](#) [UNSC](#) [KPKO](#)
SUBJECT: STATE OF PLAY ON NEGOTIATIONS ON UK-US DARFUR
RESOLUTION

Classified By: Ambassador John R. Bolton for Reasons 1.4 (b,d)

11. (U) This is an action request. See Paragraph 3.

12. (C) SUMMARY AND ACTION REQUEST. This cable outlines the views of key Security Council delegations on the UK-U.S. draft resolution authorizing the transition from an African Union (AU)-led to a UN-led force in Darfur. Russia, China and France remain firmly opposed to selected language proposed by the Department, jeopardizing the goal of putting a resolution into blue by August 25. The contested areas include specification of a transition date and absence of language on the need for Government of National Unity (GNU) consent for deployment. In related action, in response to pressure from several Council members on the need to secure GNU consent, Ghanaian Permanent Representative (and current UNSC President) Effah-Apenteng sought approval August 21 to hold a Security Council meeting on August 28 including participants from the GNU, Arab League, Organization of the Islamic Conference and the EU. ACTION REQUEST: In order to win Council support for our draft resolution, USUN requests the Department's urgent review of these issues. Receipt of updated guidance August 22 will enable USUN to engage effectively with other delegations, who are scheduled to present formal instructions from capitals on the draft resolution during an expert's meeting Tuesday. END SUMMARY AND ACTION REQUEST.

DATE OF TRANSITION

13. (C) USUN's ongoing consultations with SC delegations indicate that Russia, China and France all oppose a specific mention of a date of transition in the draft resolution. To amplify, Russia does not simply oppose a reference to an October 1 transition date; Moscow opposes reference to any date for transition. The Russian delegation has told USUN and the UK mission in New York that this issue is a 'red line.' Russia has proposed as an alternative the phrase, 'as soon as possible,' arguing that inclusion of a date will further complicate efforts to secure GNU support for UN deployment. China supports the Russian position. France, on the other hand, objects to the use of 'October 1' because the date coincides with the beginning of the French fiscal year and thus would mean that France is not in a position to meet its assessed obligation. A further complicating factor is the opposition of the UN Secretariat to the use of 'October 1.' DPKO has determined that it will take a minimum of six months to deploy a force of this magnitude and therefore considers the date unrealistic. Note: Many Council delegations factor Secretariat views into their

decision-making.

GNU CONSENT

14. (C) The Russian and Chinese delegations have unequivocally asserted that they will not support a resolution authorizing an expansion of the UNMIS mandate to cover Darfur without operative language on the need for GNU consent. They are unpersuaded by the USG argument that language on GNU consent is not mandatory for resolutions covering mandates. They insist that the likelihood of garnering GNU consent diminishes significantly if the resolution on the expansion of the mandate fails to mention the need for GNU consent for deployment. France and the UK are flexible on this question. Congo, the current AU Chair, and Ghana support inclusion of language on consent.

UNSC-GNU MEETING IN NEW YORK

15. (C) During August 21 UNSC consultations, Ghanaian PR and current Council President Effah-Apenteng asked for Council approval to issue letters of invitation for a proposed August 28 UNSC meeting to discuss the Sudan. Effah-Apenteng said he had discussed the meeting with representatives of the GNU, the EU, the OIC, and the AL, as well as with SYG Annan. He reported that the AL and the OIC had responded affirmatively.

(Note: The Arab League's treatment of this issue in Cairo August 20 was not a factor in Council discussions. End Note.) The purpose of the proposed August 28 meeting would be to underscore the exhaustive effort by the Security Council to engage the GNU on the issue of consent. UK PR Jones Parry said the scheduling of such a meeting, in light

USUN NEW Y 00001599 002 OF 002

of the dire Darfur situation, should not delay action on the draft resolution, and recommended the participation of VP Taha to increase the potential for a positive outcome. In a conversation with USUN following consultations, Effah-Apenteng expressed his support for the UK suggestion to seek Taha's participation, despite his initial outreach to GNU President Bashir and FM Lam Akol. The UK mission believes that blocking the meeting risks losing African support for the draft resolution, support that is already dangerously waning on the part of Congo as AU Chair. The Brits argue further that even if the meeting is futile, it is better for the co-sponsors to appear to exhaust all diplomatic options. Otherwise, they argue, we risk alienating the 'middle ground' in the Council and undercutting support both for swift action and the resolution itself. Both Ghana and the UK want to issue invitations immediately to avoid any delay on the resolution.

COMMENT

16. (C) This message focuses on the positions of the P5 for obvious reasons. In order to gain P5 support for the UK-U.S. draft, we urge the Department to seriously review the language on the transition date and GNU consent. In two weeks of negotiations among the P5 in New York, complemented by demarches in capitals and senior USG outreach, we have been unable to gain ground on these issues. Flexibility on the proposed August 28 meeting is also important for the New York negotiating dynamic. We and the UK mission in New York are planning to brief delegations with influence over the GNU (e.g. Egypt, Saudi Arabia, Nigeria, Senegal, Rwanda, Turkey, South Africa, the African Union, Congo, Tanzania, Ghana, Libya, Tunisia the LAS), as well as representatives of the NGO community, on August 23, to build momentum for adopting the draft resolution.

BOLTON